

Remarks

Claim Rejections - 35 USC 112

The Examiner rejected claims 35 through 39 for reciting "said pawls" in claim 35 without a proper antecedent basis. By this amendment, the Applicant inserts a proper antecedent basis.

Claim Rejections - 35 USC 103

The claims were rejected as being unpatentable over FIG. 1 of the subject application in view of US Patent 2,810,313 to Hermanson (hereinafter the '313 patent), or in the alternative, over the '313 patent in view of FIG. 1 of the subject application. By the present amendments, apparatus claims 1 through 34 have been cancelled, while independent method claim 35 and dependent claim 36 have been amended. New independent claim 43 has been added, as well as new dependent claims 40 through 42, 44 and 45.

In the Office Action mailed January 18, 2006, the Examiner indicated in numbered paragraph 3 that "Figure 1 of the instant invention discloses all of the claimed subject matter except for having a ratcheting member wherein the pawls make up a portion of a race and a hinge." While the Applicant agrees with the Examiner that FIG. 1 (which depicts a typical prior art device) does not have a ratcheting member with pawls that make up a portion of a race and a hinge, the Applicants strenuously disagree with the Examiner's assessment that that is the only difference in disclosed subject matter. In particular, FIG. 1 shows the same sort of splined nut that is taught in the '313 patent. In that regard, what the Applicant represents as prior art (as indicated parenthetically in FIG. 1) is consistent with teachings such as the '313 patent. It is precisely this splined approach that the claimed invention avoids, as the introduction of a ratcheting pawl member **134**, **134A** of FIGS. 2, 4A and 5A that cooperates with a continuous set of teeth **140A** on a shock absorber adjustment nut **140** (as shown in FIG. 8A) permits ratcheting rotation through small angles that are not possible with the splined approach of FIG. 1 or the '313 patent.

This distinction is clearly articulated at page 10 of the original specification, where the prior art approach of both FIG. 1 and the '313 patent depict intermittent splines **44** (in FIG. 1 of the subject application) and **27** (in the '313 patent) that facilitate large rotational angles (i.e., sixty degrees in FIG. 1 of the subject application, and forty five degrees in the '313 patent). As stated at the end of numbered paragraph [0026] on page 10 of the original specification, such large angles are incompatible with the tight confines of an automotive shock absorber system. By contrast, the claimed ratcheting approach with closely-spaced teeth distributed about the substantial entirety of the nut's periphery permits much smaller ratcheting excursions.

Since none of the prior art teaches such the claimed methods, the Applicants submit that all of the independent claims are distinguishable over the cited art, and are therefore in condition for allowability. Since each of the dependent claims places further limitations on the independent claims, they too are in condition for allowability. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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